

DETAILED ACTION

1. This application has been placed in condition for allowance¹ except for the following formal matters:

2. The disclosure is objected to for the following reason: The specification contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). Sequences appearing in the specification and/or drawings must be identified by sequence identifier in accordance with 37 C.F.R. 1.821(d). According to 37 CFR § 1.821(a), an unbranched sequence of four or more specifically identified amino acids or an unbranched sequence of ten or more nucleotides must be identified by sequence identification numbers. See MPEP § 2422.01.

In this instance, there are sequences disclosed in the specification and drawings which are not properly identified by sequence identification numbers (see e.g., Figure 1A, 1B, and pages 6, 7, 26, 58, 64 and 74). Furthermore, the specification lists SEQ ID Nos which are not currently present in the sequence listing that only contains 156 sequences (See e.g., page 9). Applicant is requested to review the application in its entirety to ensure compliance with the sequence rules set forth in 37 C.F.R. 1.821-1.825.

Applicant must provide appropriate amendments to the specification or drawings inserting the required sequence identifiers. Sequence identifiers for sequences appearing in the drawings may appear in the drawings or in the brief description of the drawings.

As noted in the attached Notice to Comply, appropriate action correcting this deficiency is required. If necessary to correct the deficiency, Applicant must submit paper and computer-readable copies of a substitute sequence listing, together with an amendment directing its entry into the specification and a statement that the content of

both copies are the same and, where applicable, include no new matter.

3. The drawings set forth as Figures 1A and 1B are objected to because the figures depict amino acid sequences, which are not identified by sequence identification numbers, either in the figure or in the brief description of figures. Sequences appearing in the specification and/or drawings must be identified by a sequence identifier in accordance with 37 C.F.R. 1.821(d); sequence identifiers for sequences appearing in the drawings may appear in the drawings or in the brief description of the drawings.

A replacement drawing sheet, including the correction, is required. See 37 CFR 1.121(d). However, this ground of objection would be withdrawn, such that a replacement drawing would not be required, if Applicant were to amend the brief description of the drawings at page 12 of the specification to include sequence identification numbers, provided that the amino acid sequences presented in the figures are the same as the sequences given in the respective SEQ ID NO.

4. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Claims 7, 8, 28 and 33-38, as set forth in the attached Examiner's amendment to be entered upon Applicant's resolution of the above identified formal matters, are allowable.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Duffy whose telephone number is (571) 272-9935. The examiner can normally be reached on Monday through Friday 7:00 AM to 4:30 PM, with alternate Fridays off.

¹ The attached Examiner's amendment places the claims in condition for allowance; the amendment will be entered upon Applicant's resolution of these formal matters.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms can be reached on (571) 272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully,
Brad Duffy
571-272-9935

/Stephen L. Rawlings/
Primary Examiner, Art Unit 1643

/bd/
Examiner, Art Unit 1643
April 30, 2009

Attachment: Examiner's Amendment to be entered upon Applicant's resolution of the above identified formal matters.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below, which will be entered upon Applicant's resolution of the formal matters identified in the attached Office communication. Should the changes and/or additions to the claims be found unacceptable to applicant, applicant is advised that an amendment may subsequently be filed as provided by 37 CFR 1.312. However, to ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for entry of this examiner's amendment was given in a telephone interview with Patricia L. Chisholm on April 23, 2009.

The application will be amended as follows:

In the claims:

The prior set of claims will be replaced by the following set of claims:

Claims 1-6 (Canceled)

Claim 7. (Previously presented) The monoclonal antibody of claim 33, wherein the antibody is a scFv.

Claim 8. (Previously presented) The monoclonal antibody of claim 33, wherein the antibody is a Fab.

Claims 9-27 (Canceled)

Claim 28. (Previously Presented) A monoclonal antibody that specifically binds to a human VEGF and has a VL and VH pair selected from the group consisting of: SEQ ID NO:28 and 88; SEQ ID NO:28 and 90; SEQ ID NO:28 and 91; SEQ ID NO:28 and 106; SEQ ID NO:28 and 107; SEQ ID NO:28 and 108; and SEQ ID NO:28 and 109.

Claims 29-32 (Canceled)

Claim 33. (Currently amended) A monoclonal antibody that specifically binds to human VEGF and has a VL and VH pair selected from the group consisting of: SEQ ID NO:26 and 88; SEQ ID NOs:26 and 90; SEQ ID NOs:26 and 91; SEQ ID NOs:26 and 106; SEQ ID NOs:26 and 107; SEQ ID NOs:26 and 108; SEQ ID NOs:26 and 109; SEQ ID NOs:28 and 88; SEQ ID NOs:28 and 90; SEQ ID NOs:28 and 91; SEQ ID NOs:28 and 106; SEQ ID NOs:28 and 107; SEQ ID NOs:28 and 108; SEQ ID NOs:28 and 109; SEQ ID NOs:36 and 88; SEQ ID NOs:36 and 90; SEQ ID NOs:36_and 91; SEQ ID NOs:36 and 106; SEQ ID NOs:36 and 107; SEQ ID NOs:36 and 108; and SEQ ID NOs:36 and 109.

Claim 34. (Previously presented) A monoclonal antibody that specifically binds to human VEGF and has a VL and VH pair selected from the group consisting of: SEQ ID NOs:26 and 106; SEQ ID NOs:28 and 106; and SEQ ID NOs:36 and 106.

Claim 35. (Previously presented) A monoclonal antibody that specifically binds to human VEGF and has a VL and VH pair consisting of SEQ ID NOs:28 and 106.

Claim 36. (Previously presented) A monoclonal antibody that specifically binds to human VEGF and has a VL domain consisting of SEQ ID NO:28 in combination with a VH domain selected from SEQ ID NO:106, SEQ ID NO:107, SEQ ID NO:108, SEQ ID NO:109, SEQ ID NO:88, SEQ ID NO:90, and SEQ ID NO:91.

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Claim 37. (Previously presented) The monoclonal antibody of claim 35, wherein the antibody is a scFv.

Claim 38. (Previously presented) The monoclonal antibody of claim 35, wherein the antibody is a Fab.